

AO 94 (Rev. 8/97) Commitment to Another District

UNITED STATES DISTRICT COURT

Western

District of

North Carolina

UNITED STATES OF AMERICA

V.

Anthony Alston

COMMITMENT TO ANOTHER
DISTRICT

DOCKET NUMBER

MAGISTRATE JUDGE CASE NUMBER

District of Arrest

District of Offense

District of Arrest

District of Offense

1- CR : 01: 321

3:05MJ 296

CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN

x Indictment ☐ Information ☐ Complaint ☐ Other (specify)

charging a violation of 18 U.S.C. § 922 (g) (1)

DISTRICT OF OFFENSE

Middle District of Pennsylvania

DESCRIPTION OF CHARGES:

possession of firearm by a convicted felon

CURRENT BOND STATUS:

- ☐ Bail fixed at _____ and conditions were not met
- ☒ Government moved for detention and defendant detained after hearing in District of Arrest
- ☐ Government moved for detention and defendant detained pending detention hearing in District of Offense
- ☐ Other (specify) _____

Representation: ☐ Retained Own Counsel ☐ Federal Defender Organization ☒ CJA Attorney ☐ NoneInterpreter Required? ☒ No ☐ Yes Language: _____

DISTRICT OF

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.

9/14/05

Date

Carl Horn, III

United States Judge or Magistrate Judge

RETURN

This commitment was received and executed as follows:

DATE COMMITMENT ORDER RECEIVED

PLACE OF COMMITMENT

DATE DEFENDANT COMMITTED

DATE

UNITED STATES MARSHAL

(BY) DEPUTY MARSHAL

DOCUMENT
SCANNED

UNITED STATES DISTRICT COURT

Western

District of

North Carolina

UNITED STATES OF AMERICA

V.
Anthony Alston

Defendant

ORDER OF DETENTION PENDING TRIAL

Case Number: 3:05MJ

FILED
IN COURT
CHARLOTTE, N. C.

SEP 14 2005

U.S. DISTRICT COURT
W. DIST. OF N. C.

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been held. I conclude that the following facts require detention of the defendant pending trial in this case.

Part I—Findings of Fact

- ☐ (1) The defendant is charged with an offense described in 18 U.S.C. § 3142(f)(1) and has been convicted of a ☐ federal offense ☐ state or local offense that would have been a federal offense if a circumstance giving rise to federal jurisdiction had existed - that is
- ☐ a crime of violence as defined in 18 U.S.C. § 3156(a)(4).
- ☐ an offense for which the maximum sentence is life imprisonment or death.
- ☐ an offense for which a maximum term of imprisonment of ten years or more is prescribed in _____.

- ☐ a felony that was committed after the defendant had been convicted of two or more prior federal offenses described in 18 U.S.C. § 3142(f)(1)(A)-(C), or comparable state or local offenses.

- ☐ (2) The offense described in finding (1) was committed while the defendant was on release pending trial for a federal, state or local offense.
- ☐ (3) A period of not more than five years has elapsed since the ☐ date of conviction ☐ release of the defendant from imprisonment for the offense described in finding (1).
- ☐ (4) Findings Nos. (1), (2) and (3) establish a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of (an) other person(s) and the community. I further find that the defendant has not rebutted this presumption.

Alternative Findings (A)

- ☒ (1) There is probable cause to believe that the defendant has committed an offense ☒ for which a maximum term of imprisonment of ten years or more is prescribed in 18 U.S.C. § 922(g) ☐ under 18 U.S.C. § 924(c).
- ☐ (2) The defendant has not rebutted the presumption established by finding 1 that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

Alternative Findings (B)

- ☒ (1) There is a serious risk that the defendant will not appear.
- ☐ (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

Defendant has used several aliases as well as false birth dates & social security numbers. Scant ties to this district or charging district (MDPA).

Part II—Written Statement of Reasons for Detention

I find that the credible testimony and information submitted at the hearing establishes by ☐ clear and convincing evidence ☐ a preponderance of the evidence that

See Pretrial Services Report, noting past failures to appear in court and recommending detention.

Part III—Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

9/14/05
DateCarl Horn, III
Signature of Judge

United States Magistrate Judge

Name and Title of Judge

*Insert as applicable: (a) Controlled Substances Act (21 U.S.C. § 801 *et seq.*); (b) Controlled Substances Import and Export Act (21 U.S.C. § 951 *et seq.*); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. § 955a).

DOCUMENT
SCANNED

1. CIR./DIST./DIV. CODE NCW		2. PERSON REPRESENTED Alston, Anthony		VOUCHER NUMBER	
3. MAG. DKT./DEF. NUMBER 3:05-000296-001		4. DIST. DKT./DEF. NUMBER		5. APPEALS DKT./DEF. NUMBER	
6. OTHER DKT. NUMBER		7. IN CASE/MATTER OF (Case Name) U.S. v. Alston		8. PAYMENT CATEGORY Other	
9. TYPE PERSON REPRESENTED Adult Defendant		10. REPRESENTATION TYPE (See Instructions) Criminal Case			

11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) If more than one offense, list (up to five) major offenses charged, according to severity of offense.

12. ATTORNEY'S NAME (First Name, M.I., Last Name, including any suffix)

AND MAILING ADDRESS
Coble, C. Jennifer
401 East Second Street
Suite 205
Charlotte NC 28202

Telephone Number: (704) 358-0026

14. NAME AND MAILING ADDRESS OF LAW FIRM (only provide per instructions)

Coble and Snow, LLP
401 East Second Street
Suite 205
Charlotte NC 28202

13. COURT ORDER

- ☒ A Appointing Counsel ☐ C Co-Counsel
☐ F Subs For Federal Defender ☐ R Subs For Retained Attorney
☐ P Subs For Panel Attorney ☐ Y Standby Counsel

Print Attorney's Name: _____

Appointment Date: _____

☐ Because the above-named person represented has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in Item 12 is appointed to represent this person in this case, or

☐ Other (See Instructions)

Signature of Presiding Judicial Officer or By Order of the Court

09/09/2005

Date of Order

Nunc Pro Tunc Date

Repayment or partial repayment ordered from the person represented for this service at time of appointment. ☐ YES ☐ NO

CATEGORIES (Attach itemization of services with dates)		HOURS CLAIMED	TOTAL AMOUNT CLAIMED	MATH/TECH ADJUSTED HOURS	MATH/TECH ADJUSTED AMOUNT	ADDITIONAL REVIEW
In Court	a. Arraignment and/or Plea					
	b. Bail and Detention Hearings					
	c. Motion Hearings					
	d. Trial					
	e. Sentencing Hearings					
	f. Revocation Hearings					
	g. Appeals Court					
	h. Other (Specify on additional sheets)					
(Rate per hour = \$) TOTALS:						
Out of Court	a. Interviews and Conferences					
	b. Obtaining and reviewing records					
	c. Legal research and brief writing					
	d. Travel time					
	e. Investigative and Other work (Specify on additional sheets)					
(Rate per hour = \$) TOTALS:						
17.	Travel Expenses (lodging, parking, meals, mileage, etc.)					
18.	Other Expenses (other than expert, transcripts, etc.)					

19. CERTIFICATION OF ATTORNEY/PAYEE FOR THE PERIOD OF SERVICE
FROM _____ TO _____

20. APPOINTMENT TERMINATION DATE
IF OTHER THAN CASE COMPLETION

21. CASE DISPOSITION

22. CLAIM STATUS

☐ Final Payment

☐ Interim Payment Number _____

☐ Supplemental Payment

Have you previously applied to the court for compensation and/or reimbursement for this case? ☐ YES ☐ NO If yes, were you paid? ☐ YES ☐ NO
 Other than from the court, have you, or to your knowledge has anyone else, received payment (compensation or anything of value) from any other source in connection with this representation? ☐ YES ☐ NO If yes, give details on additional sheets.

I swear or affirm the truth or correctness of the above statements.

Signature of Attorney: _____

Date: _____

23. IN COURT COMP.	24. OUT OF COURT COMP.	25. TRAVEL EXPENSES	26. OTHER EXPENSES	27. TOTAL AMT. APPR / CERT
28. SIGNATURE OF THE PRESIDING JUDICIAL OFFICER			DATE	28a. JUDGE / MAG. JUDGE CODE
29. IN COURT COMP.	30. OUT OF COURT COMP.	31. TRAVEL EXPENSES	32. OTHER EXPENSES	33. TOTAL AMT. APPROVED
34. SIGNATURE OF CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE) Payment approved in excess of the statutory threshold amount.			DATE	34a. JUDGE CODE

DOCUMENT
SCANNED

2

UNITED STATES DISTRICT COURT

Western

DISTRICT OF

North Carolina

UNITED STATES OF AMERICA

V.

Anthony Alston

Defendant

WAIVER OF RULE 40 HEARINGS
(All Criminal Cases)

JUDGE: Carl Horn, III

CASE NUMBER: 3:05MJ

I understand that charges are pending in the Middle District of Pennsylvania

alleging violation of _____ and that I have been arrested in this district and

(Title and Section / Probation / Supervised Release)

taken before a United States magistrate judge, who has informed me of the charge(s) and my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;

- Check one only -**[] ALL CASES EXCEPT PROBATION OR SUPERVISED RELEASE:**

- (3) a preliminary hearing (unless an indictment has been returned or information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) request transfer of the proceedings to this district under Rule 20, Fed. R. Crim. P., in order to plead guilty.

[] PROBATION OR SUPERVISED RELEASE VIOLATION CASES:

- (3) a preliminary hearing (but only if I will be kept in custody, and only to be held in this district if the violation occurred here) to determine whether there is probable cause to believe a violation occurred; and
- (4) a hearing under Rule 32.1(a)(6), Fed. R. Crim. P., in which I have the burden of establishing my eligibility for release from custody.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- ☒ identity hearing
- ☐ preliminary hearing
- ☐ identity hearing and have been informed I have no right to a preliminary hearing
- ☐ identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Anthony Alston
Defendant10-9-2005

Date

Defense CounselDOCUMENT
SCANNED

Anthony Alston

3:05MJ

DEFENDANT

CRIMINAL/MAGISTRATE CASE NUMBER

Jennifer CableDEFENSE COUNSEL ☒ appointed ☐ retained

Date Filed: ☐ Indictment: _____
☐ Complaint: _____
☐ Information: _____

EDPA
RAO

Date Arrested: _____
Date Bond Set: _____
Bond Conditions: _____

Counts: _____

Title: _____

Section: _____

Detention Hearing Set: _____

INITIAL APPEARANCE HEARING:

Date: 9-9-05 Time: 1215 to 1230 Division: 0419-3
Counsel present: Deft: _____ Govt: Murray Judge: Horn Court Reporter: TOB

Defendant received cc: ☒ Indictment ☐ Information ☐ Complaint.Defendant understands charges: yesDefendant understands right to counsel: yes ☐ no.Defendant requests court-appointed counsel: yesCJA/23: _____ Defendant sworn: ☒ Allowed ☐ Denied.

Government moves: _____

Notes: det*****
PROBABLE CAUSE HEARING:

Date: _____ Time: _____ to _____ Division: _____
Counsel present: Deft: _____ Govt: _____ Judge: _____ Court Reporter: _____

Government Witnesses

Defense Witnesses

1) _____
2) _____
3) _____

1) _____
2) _____
3) _____

Government Exhibits

Defense Exhibits

1) _____
2) _____
3) _____

1) _____
2) _____
3) _____

Court Finds Probable Cause: ☐ YES ☐ NO*****
DETENTION HEARING:

Date: 9-14-05 Time: 1020 to 1032 Division: 0419-3
Counsel present: Deft: Jennifer Cable Govt: David Brown Judge: Horn Court Reporter: TOB

Government Witnesses

Defense Witnesses

1) _____
2) _____
3) _____

1) _____
2) _____
3) _____

Government Exhibits

Defense Exhibits

1) _____
2) _____
3) _____

1) _____
2) _____
3) _____

Detention Ordered: ☒ YES ☐ NO Bond Set at: _____*****
ARRAIGNMENT:

Date: _____ Time: _____ to _____ Division: _____
Counsel present: Deft: _____ Govt: _____ Judge: _____ Court Reporter: _____

Plea:

Not Guilty - Jury Trial Requested ☐

DATE AND PLACE SET FOR TRIAL: _____

Not Guilty - Jury Trial Waived ☐Guilty as to Counts: ☐Nolo Contendere: ☐

CLOSED

**U.S. District Court
Western District of North Carolina (Charlotte)
CRIMINAL DOCKET FOR CASE #: 3:05-mj-00296-ALL
Internal Use Only**

Case title: USA v. Alston

Date Filed: 09/09/2005

Assigned to: Carl Horn, III

Defendant

Anthony Alston (1)

represented by **C. Jennifer Coble**
Coble & Snow, LLP
401 East Second St.
Suite 205
Charlotte, NC 28202
704/358-0026
Fax: 704-358-0029
Email:
jennifercoble@cobleandsnowlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None










Complaints

18:922G.F

Disposition

Plaintiff

USA

Date Filed	#	Docket Text
09/09/2005		Arrest (Rule 40 MDP A) of Anthony Alston (O'Brien, Tammy) (Entered: 09/20/2005)
09/09/2005		Minute Entry for proceedings held before Judge Carl Horn III:Initial Appearance in Rule 40 Proceedings as to Anthony Alston held on 9/9/2005 (Court Reporter FTR.) (O'Brien, Tammy) (Entered: 09/20/2005)
09/09/2005		ORAL MOTION to Appoint Counsel by Anthony Alston. (O'Brien, Tammy) (Entered: 09/20/2005)
09/09/2005		ORAL ORDER granting <input type="checkbox"/> Motion to Appoint Counsel as to Anthony Alston (1). Signed by Judge Carl Horn III on 9/9/05. (O'Brien, Tammy) (Entered: 09/20/2005)
09/09/2005	 1	WAIVER of Rule 5(c)(3) Hearings by Anthony Alston (O'Brien, Tammy) (Entered: 09/20/2005)
09/09/2005	 2	CJA 20 as to Anthony Alston: Appointment of Attorney C. Jennifer Coble for Anthony Alston. . Signed by Judge Carl Horn III on 9/9/05. (O'Brien, Tammy) (Entered: 09/20/2005)
09/14/2005		Minute Entry for proceedings held before Judge Carl Horn III:Detention Hearing as to Anthony Alston held on 9/14/2005 (Court Reporter FTR.) (O'Brien, Tammy) (Entered: 09/20/2005)
09/14/2005	 3	ORDER OF DETENTION as to Anthony Alston . Signed by Judge Carl Horn III on 9/14/05. (O'Brien, Tammy) (Entered: 09/20/2005)
09/14/2005	 4	COMMITMENT TO ANOTHER DISTRICT as to Anthony Alston. Defendant committed to District of MDP A-Harrisburg. . Signed by Judge Carl Horn III on 9/14/05. (O'Brien, Tammy) (Entered: 09/20/2005)
09/20/2005		***Criminal Case Terminated as to Anthony Alston (O'Brien, Tammy) (Entered: 09/20/2005)

20.330
1, wam, wop,
2261, 0151

DMB:EP:scb

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

) CRIMINAL NO. 1:01-cr-00321
) (Judge Kane)

v

ANTHONY ALSTON

FILED
HARRISBURG, PA

INDICTMENT

THE GRAND JURY CHARGES THAT:

10/10/01
MARY E. O'ANDREA CLERK
Per [Signature]

COUNT I

On or about September 8, 2000 in the city of York, York County, Pennsylvania,
within the Middle District of Pennsylvania, the defendant,

ANTHONY ALSTON,

having been convicted of a crime punishable by imprisonment for a term exceeding one year,
knowingly possessed in and affecting commerce a firearm, specifically a loaded Tanfglio
single-action semi-automatic Pistol, Model GT 380, caliber .380 ACP, S/N T55960.

All in violation of Title 18, United States Code, Section 922(g)(1)

A TRUE BILL

[Signature]
Deputy Foreperson, Grand Jury

10/10/01
Date

[Signature]
MARTIN C. CARLSON
United States Attorney